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S E C R E T STATE 135268

NOFORN
SIPDIS
ISN/WMDT FOR MICHAEL CURRY/ARYN LESTER/JOSH BOYD
DOE/IN FOR JOSH FRIEDMAN
DHS/DNDO FOR BRENT BREDEHOFT/CARA STANKEWICK
DS FOR IRV SOLOWAY
INR/SPM FOR JANINA DE GUZMAN

E.O. 12958: DECL: 12/30/2018

TAGS: KNNP MNUC ASEC KCRM PARM KE XA XW
SUBJECT: REQUEST FOR INFORMATION ON KENYAN SEIZURE OF
+URANIUM,

REF: A. A) AFP20081214950009
B. B) AFP20081222316001
C. C) 2007 STATE 162091

Classified By: Dexter Ingram

11. (U) This is an action request for Embassy Nairobi.
Please see paragraph 4.

12. (SBU) BACKGROUND: According to Ref A, on 12 December 2008 Kenyan Flying Squad officers detained two individuals suspected of smuggling uranium into Kenya from the Democratic Republic of Congo. The men had been living in the Uthiru estate for a month while middlemen, who have yet to be arrested, arranged to sell the substance and smuggle it out of Kenya. No additional information was released to the press about suspected middlemen or prospective buyers. Reports initially indicate one individual is a Ugandan soldier while the accomplice is also suspected to be Ugandan despite his possession of a fraudulent Kenyan identity card. However, Ref B identifies the two arrested individuals as Bwambale Nason Ndyambo of Uganda and David Juma Osoma of Democratic Republic of Congo. Both articles indicate the material is contained in a 20-centimetre-high metal cylinder which weighs approximately nine kilograms and has had most of its markings rubbed off. The material was reportedly bought for 3.9m shillings (\$50,000 USD) and the individuals had hoped to sell it for 100m shillings (\$1.2 million USD). Media reports also indicate the material was initially tested by the Geology and Mining Department before being transferred to the National Radiation Protective Board for analysis as well as safe and secure storage according to Arthur Koteng, Deputy Head of the board.

13. (S//NF) ASSESSMENT: Based upon open-source reporting and previous trafficking incidents in the region it is most likely this case is a scam and is associated with profit driven motivation. Previous nuclear smuggling incidents in the region have involved containers with similar dimensions and weight. Additionally, press reports about past smuggling incidents purported the material to be highly radioactive but were later proven inaccurate due to incorrect procedures used to test the material. Uranium (depleted, natural, low and highly enriched) is not highly radioactive which also casts further doubt that the seized material is uranium. The purported uranium could also be a container made of depleted uranium previously used to shield a radioactive source. Radioactivity in such a container may still be detectable. The container might have also previously contained naturally occurring radioactive material, such as uranium-bearing ore or unenriched uranium, and still have detectable traces of

radioactivity. Supplementary analysis from the DHS Domestic Nuclear Detection Office's Nuclear Assessment Program will be forwarded to post via email.

¶4. (SBU) ACTION REQUEST: In order to clarify information gaps, Post is requested to seek answers from appropriate Kenyan officials to questions contained in paragraphs 5, 6, 7, and 8. Questions were generated by Washington and also derived from questions contained in Ref C. Post is requested to provide a coordinated response to Washington via front-channel cable.

¶5. (S REL KENYA) FOLLOW-UP QUESTIONS ABOUT SEIZED MATERIAL:

--Are photographs of the cylinder available where any writing is clearly legible? (NOTE: Photos of the cylinder that include something of known size, such as a ruler, are particularly helpful.)

--Is there any further detailed descriptive information regarding the seized item (e.g. a label, even if it is rubbed off)?

--Where was the analysis conducted, by whom, and with what equipment and techniques? What were the results of the analysis, to include isotope and physical form of the material?

--If a radiation detector was used, what was the distance from the radiation detector to the object being measured and what was the detector type (make and model)? Please also note the placement of the detector. When gamma spectral data is provided, a calibration spectrum and a background spectrum should always be provided.

--Who is informed when suspect nuclear material is seized? How was the material handled by Kenyan authorities? Which agencies are responsible for investigating this case?

¶6. (S REL KENYA) FOLLOW-UP QUESTIONS ABOUT TRAFFICKERS AND METHODS:

--Do the suspects have criminal records, prior involvement in illicit nuclear trafficking, and/or terrorist ties?

--Have the "middlemen" referenced in the press been identified, specifically or by nationality? Do Kenyan authorities know to what country the middlemen were intending to smuggle the "uranium"?

--Where and from whom (by name or other descriptors) did those arrested obtain the cylinder? Did the source of the material identify where the "uranium" came from?

--How did the suspects initially find out the material was for sale in the DROC?

--Where was the \$50,000 USD obtained in order to purchase the material in the DROC?

--What route/method of transportation was used in order to move the material from the location where it was purchased in the DROC to Kenya (e.g. specifically identifiable roads and border checkpoint crossings)?

--Where and how was the fraudulent Kenyan ID card obtained? From whom? Was it obtained specifically for this instance?

--Was any other operational tradecraft employed during the timeframe the material was being moved? (Were they attempting to disguise the material while in transit? Did they avoid major roads / border crossings? Did they have to bribe anyone or have contact with any law enforcement officials?)

--Were there any other facilitators or safe-houses along this route?

¶7. (S REL KENYA) FOLLOW-UP QUESTIONS ABOUT END-USERS:

--What did the suspects believe that a buyer would do with the uranium they were trying to sell? Do they believe that their plans or attempts to sell uranium had terrorist goals?

--How did the individuals in custody come into contact with the middlemen that had been trying to identify buyers?

--Had a buyer been identified? (If so, is anything known about their plans to move the material?) What route/method of transportation was used?

--Were there any plans for completing the transaction (where, how, and when)?

--How would that amount of money been exchanged (cash, electronically, through banks, hawalas)?

--Would any of the profits received by them have gone to other individuals not yet identified?

--Who (by name or other descriptors) did the suspects interact with in attempts to sell the cylinder?

¶8. (S REL KENYA) FOLLOW-UP QUESTIONS ABOUT UGANDAN AND DROC COOPERATION:

--Do the governments of Uganda and the Democratic Republic of Congo know about the seizure?

--Does the Kenyan government intend to inform those governments in the near future? Will the governments collaborate on the investigation?

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